Single Bench

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 4338 /2004

PETITIONER : Dr. Rajesh Chandra, S/o Shri Haricharan Chandra, aged 46 years, Occupation-Service, presently working as Medical Officer and LTT Surgeon in Health and Family Welfare Department of the Government of Chhattisgarh, presently posted at BDM Civil Hospital, Champa, District Janjgir-Champa (C.G.)

P.R. No. 4350/04 Presented by Shri S.K. Seth dated 08/11/04

-VERSUS-

RESPONDENTS :

1. State of Chhattisgarh through Secretary, Department of Health & Family Welfare, Mantralaya, D.K.S.Bhavan, Raipur (C.G.)
2. Director, Health Services, Chhattisgarh, Raipur (C.G.)
3. Collector, Janjgir-Champa (C.G.)
4. Civil Surgeon-cum-Chief Hospital Superintendent, BDM Civil Hospital, Champa District Janjgir-Champa (C.G.)
5. Chief Medical & Health Officer, Janjgir-Champa (C.G.)
6. Dr. K.V.Singh, Medical Officer, Community Health Centre, Sakti, District Janjgir-Champa (C.G.)

Received 8/11/04 Clerk to A.G. Bilaspur

7282/04 7/11/04

Free

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

(2)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4338/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

8-12-2004

Shri Rajeev Shrivastava, counsel for the petitioners.

Shri Akhil Agrawal, Panel Lawyer for the State.

Applications for urgent hearing is allowed.

Heard.

Since these two petitions viz., W.P.Nos.4336/2004 and 4338/2004 are arising out of the same dispute, they are being disposed of by this common order.

W.P.No.4336/2004

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that she has been transferred from B.D.M. Civil Hospital, Champa, to Community Health Centre, Sakti, Janjgir, vide order dated 26.10.2004 (Annexure P-4). He also submits that the petitioner has been transferred on her own request, whereas, she has never requested or applied for her transfer before the higher authorities. He also submits that the husband of the petitioner is also working in the Health Department and posted at Champa.

W.P.No.4338/2004

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that he has been transferred from B.D.M. Civil Hospital, Champa, to Community Health Centre, Sakti, Janjgir, vide order dated 26.10.2004 (Annexure P-2). He also submits that the petitioner has been transferred on her own request, whereas, he has never

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक wp 4338/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	requested or applied for his transfer before the higher authorities. He also submits that the wife of the petitioner is also working in the Health Department and posted at Champa. Learned counsel for the petitioners submits that for the present the petitioners may be given an opportunity of filing a detailed representation before the competent authority of the respondents, which shall be considered on its own merits, in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioners to make detailed representation raising their grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation. With the aforesaid observation, these petitions (W.P. Nos.4336/2004 and 4338/2004) stand disposed of. Consequently, M.W.P.Nos.4686/2004 & 4690/2004 also stand disposed of. Certified copy as per rules.	Sd/- Fakhruddin Judge
Gowri		

19/12
10/12/04